

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the ____ day of ____, 2005:

Present

Vote

James S. Burgett, Chairman
Walter C. Zaremba, Vice Chairman
Sheila S. Noll
Kenneth L. Bowman
Thomas G. Shepperd, Jr.

On motion of ____, which carried __, the following resolution was adopted:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON
AND TAKE CERTAIN PERMANENT DRAINAGE EASEMENTS AND
TEMPORARY CONSTRUCTION EASEMENTS IN CONNECTION
WITH THE MOORE'S CREEK DRAINAGE PROJECT

WHEREAS, it is necessary to obtain certain easements in connection with the Moore's Creek drainage project; and

WHEREAS, for various reasons, the County is not able to obtain from the owners of such property clear title to the interests in real estate necessary, or no agreement has been reached as to the consideration to be paid for the said interests; and

WHEREAS, plats of the interests in real property to be acquired have been prepared by Precision Measurements, Inc. and appraisals of such interests have been prepared; and

WHEREAS, § 15.2-1905 (C), Code of Virginia, authorizes the Board to adopt a resolution following a public hearing on the matter declaring its intent to enter and take specified properties, rights-of-way or easements for such purposes as constructing, installing, expanding, maintaining, or repairing drainage facilities.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this ____ day of ____, 2005, that the Board finds that it is necessary for the protection and preservation of the public health, safety and welfare, and for the timely completion of the Moore's Creek drainage project, for the County, its officers, employ-

ees and agents to enter upon and take the interests in real property described below prior to the initiation of condemnation proceedings.

BE IT FURTHER RESOLVED that the interests to be taken, and the compensation and damages, if any, offered by the County for each are the following, which interests are more particularly described on the plats attached to the memorandum of the County Attorney dated November 14, 2005, and incorporated herein by this reference:

Tax Map Parcel 30F-1-4A

A permanent drainage easement and a temporary construction easement as shown on a plat entitled "Plat of Easement Acquisitions From: Mollie Janet Tucker, To: County of York, Virginia, Project: Moore's Creek Drainage Improvements Phase 1" dated August 23, 2005, prepared by Precision Measurements, Inc. and designated as a "Permanent Drainage Easement Hereby Conveyed to York County, 1,049 sq. ft. or 0.024 acres" and a "Temporary Construction Easement Hereby Conveyed to York County, 1,530 sq. ft. or 0.035 acres." Value offered to owner: \$495.00.

Tax Map Parcel 30-213

Permanent drainage easements and temporary construction easements as shown on a plat entitled "Plat of Easement Acquisitions From: Wilton S. Wilson, To: County of York, Virginia, Project: Moore's Creek Drainage Improvements Phase 1" dated August 23, 2005, prepared by Precision Measurements, Inc. and designated as "Permanent Drainage Easement Hereby Conveyed to York County, 821 sq. ft. or 0.019 acres," "Permanent Drainage Easement Hereby Conveyed to York County, 5,412 sq. ft. or 0.124 acres," "Temporary Construction Easement Hereby Conveyed to York County, 367 sq. ft. or 0.008 acres," and a "Temporary Construction Easement Hereby conveyed to York County, 2,260 sq. ft. or 0.052 acres." Value offered to owner: \$2,534.00.

Tax Map Parcel 30-213B

A permanent drainage easement and temporary construction easements as shown on a plat entitled "Plat of Easement Acquisitions From: W.S. Wilson, To: County of York, Virginia, Project: Moore's Creek Drainage Improvements Phase 1" dated August 23, 2005, prepared by Precision Measurements, Inc. and designated as "Permanent Drainage Easement Hereby Conveyed to York County, 5,849 sq. ft. or 0.134 acres," "Temporary Construction Easement Hereby Conveyed to York County, 3,539 sq. ft. or 0.081 acres," and a "Temporary Construction Easement Hereby conveyed to York County, 3,964 sq. ft. or 0.091 acres." Value offered to owner: \$6,872.00.

Tax Map Parcel 30-213A

A permanent drainage easement and a temporary construction easement as shown on a plat entitled "Plat of Easement Acquisitions From: Jackie E. Davis, To: County of York, Virginia, Project: Moore's Creek Drainage Improvements Phase 1" dated August 23, 2005, prepared by Precision Measurements, Inc. and designated as "Permanent Drainage Easement Hereby Conveyed to York County, 5,668 sq. ft. or 0.130 acres," and a "Temporary Construction Easement Hereby Conveyed to York County, 3,152 sq. ft. or 0.072 acres." Value offered to owner: \$10,797.00.

Tax Map Parcel 30F-1-1

A temporary construction easement as shown on a plat entitled "Plat of Easement Acquisition From: Rachel Griffin, et als, To: County of York, Virginia, Project: Moore's Creek Drainage Improvements Phase 1" dated August 23, 2005, prepared by Precision Measurements, Inc. and designated as a "Temporary Construction Easement Hereby Conveyed to York County, 10,005 sq. ft. or 0.230 acres." Value offered to owner: \$1,331.00.

Tax Map Parcel 37-138

Permanent drainage easements and a temporary construction easement as shown on a plat entitled "Plat of Easement Acquisitions From: George L. Smith, Jr., To: County of York, Virginia, Project: Moore's Creek Drainage Improvements Phase 1" dated August 23, 2005, prepared by Precision Measurements, Inc. and designated as "Permanent Drainage Easement Hereby Conveyed to York County, 497 sq. ft. or 0.011 acres," "Permanent Drainage Easement Hereby Conveyed to York County, 9,336 sq. ft. or 0.214 acres," "Permanent Drainage Easement Hereby Conveyed to York County, 2,863 sq. ft. or 0.066 acres," "Permanent Drainage Easement Hereby Conveyed to York County, 1,950 sq. ft. or 0.045 acres," and a "Temporary Construction Easement Hereby Conveyed to York County, 1,171 sq. ft. or 0.027 acres." Value offered to owner: \$7,542.00.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this ____ day of _____, 2005, that the Chairman of the Board of Supervisors, the County Treasurer and the County Attorney are hereby authorized and directed, for and on behalf of the County, to execute a certificate of deposit to be recorded in the Office of the Clerk of the Circuit Court for York County, certifying the amount set forth above as the fair value, and damages if any, of the interests to be taken, will be paid the owners in accordance with the provisions of State law and upon order of the Court.

BE IT STILL FURTHER RESOLVED that the County Attorney be, and he is hereby, authorized, if necessary and appropriate, at any time following the date of this

Resolution, to institute condemnation proceedings in the name of the Board of Supervisors to acquire title to the interests in the property described above, including, if necessary, any other easements or restrictions that may affect the easements sought to be acquired, and to do all things necessary as a prerequisite thereto.